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S P E E C H

OF

HON. J. BRINKERHOFF, OF OHIO,

ON

THE OREGON QUESTION.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES, MONDAY, JANUARY 5, 1846.

WASHINGTON:

BLAIR & RIVES, PRINTERS.

1846.

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THE OREGON QUESTION.

The Resolution from the Committee on Foreign Affairs, requiring the President to notify Great Britain of the intention of the United States to terminate the joint occupancy of Oregon, and to abrogate the convention of 1827, being under consideration in Committee of the Whole—

Mr. BRINKERHOFF addressed the committee as follows :

Mr. CHAIRMAN : When I declare that it is with great reluctance that I have brought my mind to the conclusion to take part at all in this debate, and that, consulting my own feelings alone, I should not have attempted to do so, it will probably gain very little credence here. It is, nevertheless, true. I design, however, to say a few words, and but a very few words, on the resolution before the House, and that solely for the purpose of placing the ground of my action, upon a question which is admitted to be one of so much moment, before my own immediate constituency.

Throughout the whole course of this debate here, and in all the discussions of this Oregon question, which have occupied the public press throughout the country, one gratifying fact has manifested itself, and that is, the entire unanimity of Congress and of the country as to the validity of the American title to Oregon.

From the venerable gentleman from Massachusetts, [Mr. ADAMS,] who has, with so much spirit and energy, advocated the notice proposed by the pending resolution, to the gentleman from South Carolina, [Mr. RHETT,] who with such impassioned vehemence opposed it—on every hand, and upon all sides, it is not only admitted, but insisted, that the American title to Oregon is “clear and unquestionable,” indicating that, whatever may have been the extent or the bitterness of our partisan differences on other questions; whatever may be the consequences to arise from our action here, we shall present to the country and to the world a united, an unbroken front.

I have just risen from a somewhat careful reading of the correspondence between the plenipotentiaries of the two nations in regard to this controversy. I had been told, previous to the reading, of the triumph of the American negotiator—of the conviction, amounting almost to absolute demonstration, which his clear and masterly exposé of our rights was calculated to produce—of the perfection of our title, as against Great Britain, to that country; but I must say, like the Queen of Sheba,

when gazing on the architectural wonders of Jerusalem, that I had not heard the half of it; and I believe that any unprejudiced man, of any country or of any party, who will read that correspondence, must feel that the honor of our country is enlisted in the maintenance of our possessions there, because—and that is reason enough—*because that country is of right our own.* I agree with the gentleman from Indiana [Mr. KENNEDY] upon this point—and not upon this only, but upon many others, I may say upon all other points I agree with him—that when, for all the purposes of this debate, it is admitted that Oregon is ours, we may make ourselves easy as to the consequences that are to follow from the assertion of our title; for, whatever these consequences may be, we, who take the responsibility of that action, may fall back, with consciences quiet and easy, upon the consciousness of having been actuated by a sense of duty, and by a regard to the rights and the honor of the country.

I go for the notice, sir. I have all along been of the opinion that the notice should be given; but I will say that I am extremely gratified to find myself in this position, in the company with which I am surrounded. I was extremely happy to learn, from the report of the debate on this floor, (for I had not the pleasure of listening to the gentleman,) that the venerable gentleman from Massachusetts had taken that position. Firm as are my own convictions, I confess I am glad to fortify them by so high authority; and I am glad, further, that the reproach which had begun so extensively to be insinuated through the country, that all this movement is the result of the action of hair-brained, hot-headed young men, trying to play the statesman, has been removed by the stand which that gentleman has taken upon the question. It is not these hair-brained, hot-headed young men alone that advocate this measure. It has the advocacy of sage experience—of a man who literally stands in the midst of posterity, whose life is in the past, and whose only ambition is, not for the future, but for the correct discharge of those responsibilities which attend the close of human existence.

But although it is admitted throughout that the American title to Oregon “is clear and unquestionable,” yet the fact of the joint convention of 1827 exists. We have by the terms of that convention admitted Great Britain to a kind of partnership in it; she has a recognised tenancy there which can only be terminated by one year's notice; and the question is not as to the original propriety and pol-

icy of this convention. It exists; and the question is, Shall we dissolve this partnership? Shall we get rid of this tenancy, by giving the other party notice to quit? It is said this is a warlike measure. But I repeat what others have said who have spoken before me, that I cannot discover anything of that character in it. We dissolve the partnership, sir; but we do it in strict conformity with the stipulations of the articles of partnership; we give the tenant notice to quit, but it is in accordance with the express provisions of the lease. So far from violating any treaty—which everybody knows would be a cause of war—we are, in giving notice, acting in strict conformity with the provisions of the treaty, and are carrying out a measure, foreseen, anticipated, provided for by the treaty which is to be abrogated. It is not then a warlike, it is a treaty measure, a peace measure, and nothing else.

"But," ask gentlemen, "why should the partnership be terminated? Why should the convention be abrogated? What reason exists for it?" We might properly ask them to advance positively what reasons exist for its continuance. They have given no satisfactory reason of that kind—at least no reason satisfactory to my mind. I will, however, state briefly the reasons why I am in favor of abrogating the convention. And, in the first place, I am in favor of it—in favor of giving this notice—because Great Britain, as a matter of fact, has under this convention all she asks. Great Britain has offered to compromise on the line of the Columbia river. We have offered the line of 49°. Who has the intervening territory between these two points? I ask you, sir: Have we? If, as a matter of fact, we had the possession and occupancy and the usufruct of the disputed territory between the Columbia river, which was her offer, and the line of 49°, which was ours, then there might be a cause for continuing the convention in force. But she has it, as a matter of fact; and thus she is actually in possession of all she claims and all she asks. We have a small population in that territory, I grant; but none of it north of 46°. We have not a solitary family north of the Columbia river. They are excluded from it by the circumstances of the case, by the British occupancy of the northern bank of that river, by the adverse influences which are brought to bear on American settlers there. The fact stated by the honorable gentleman from Indiana, [Mr. OWEN,] that an American settler, who had undertaken to plant himself on the northern bank, had been bought out by the Hudson Bay Company by the payment, on its part, of a liberal sum—that fact speaks volumes on this subject. It is true that the gentleman from South Carolina [Mr. RHETT] undertook to ridicule this, when considered as an objectionable fact, by intimating that it was a favorable speculation for the settler. But suppose that you admit that it was advantageous to the individual settler, the question is, whether it is policy for us to permit such influences to exist there? It may be favorable to the individual settler, but is it favorable to the American interests in Oregon? And when the Hudson Bay Company—unquestionably desirous of peace, so long as their interests can be maintained to the full extent by peaceful measures—are willing thus to sacrifice their money to retain the territory north of the Columbia river, what meas-

ures would they not be willing to resort to, if these peaceful measures should fail to accomplish their ends. This fact shows the existence of a determination on the part of Great Britain, or of her agent, the Hudson Bay Company, "peaceably if she can, forcibly if she must," to keep possession of the northern bank of that river. And this is all Great Britain asks even when treating upon that subject. Our position, therefore, cannot be made worse by giving this notice. Great Britain desires the continuance of this convention; and the supposition on her part that the notice will not be given, that the convention will be preserved in force—that she can thus continue to derive all the advantages from the existing convention that she would derive from a treaty on the basis of the Columbia river, is a reason why our liberal and generous—too liberal and generous—offer of compromise on the 49th degree was so summarily rejected.

The gentleman from South Carolina, [Mr. RHETT,] in attempting to frighten us and the country from the vigorous maintenance of our rights in Oregon, tells us that the cross of St. George waves over thirty British forts in Oregon, and that when you assert these rights you must, by force, tear down the cross and place our flag there in its stead. A strange argument this for a gentleman to use who advocates the continuance of this convention! This state of things has occurred under the existence of this convention; it is while this convention has been in force that these forts have been erected and maintained; and if twenty years have resulted in the erection and manning of thirty British semi-military posts there, while we have not one, what are we to expect from the further continuance of it?

Again, sir: I would give the notice because the President has recommended it. The Constitution has confided to him the conduct of the foreign relations of the country. He has had charge of the late negotiations on this subject; he knows—what we do not know, and cannot know—all the secrets of these negotiations; and a recommendation coming from such a source has weight in my mind. Who, in connexion with this question, doubts either the entire patriotism of the President, or the eminent ability of the distinguished Secretary who has been more particularly charged with this subject? No one, sir; I venture to say, no one. They have taken the responsibility of this recommendation: let us not shrink from the responsibility of sustaining them. Let us present to our adversary and to the world, not only a united people, but a united Government. Let there be no conflict between Congress and the Executive on this question with a foreign power. How sadly will our position be weakened by any such conflict! Should we refuse to follow up the Executive's recommendation and give the notice, what will be the result? Great Britain will be emboldened, and the arm of the Executive paralyzed, by the supposition that he does not possess our confidence; and she will fling into his teeth the bitter taunt—humiliating alike to him and to the country—"You do not possess the confidence of your nation; you have not the power to carry out the measures which your judgment dictates; you are the constitutional, but not the real, organ of your nation's will; the representatives of your own people have made you impotent alike for good or evil; and I, happily, am content with my present position." Sir, is there

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a man on this floor that will willingly subject the President of the United States—no matter to what party he may belong—in his intercourse with a foreign Government already sufficiently haughty, to the necessity of listening to language like this? A man who would thus embolden the heart and strengthen the arm of our adversary?—thus palsy the department of our Government which is our only medium of intercourse with the powers of the world? I hope not, sir; I devoutly hope not.

But, sir, there is another reason why this notice should be given. Our people are in Oregon; they demand to be protected there. They have gone there without law; they have none, except such as they have temporarily established. They ask the extension of our laws over them; they ask a legal title to the lands which they are reclaiming from the wilderness, and rendering valuable by cultivation and improvement; and to be protected in "life, liberty, and the pursuit of" property and "happiness;" and against the impending force of surrounding savages under English influence and subsidy. They have hearts of true allegiance towards us; and we cannot deny that request without alienating their affections from us. Can we? I ask any gentleman, whatever his opinion on this subject, to answer me this question: can you continue to retain the allegiance of those settlers in Oregon, if you refuse to protect them? The Hudson Bay Company—we have it officially—are already urging these settlers to set up for themselves, and to declare themselves independent alike of us and of every other nation. Let us delay a little longer, and that appeal will acquire force; for allegiance and protection are reciprocal obligations.

"But," say gentlemen, "we intend to extend our laws over our citizens in that territory. Great Britain has done the same thing. We have a right to the same action." Very well; some are of opinion that we have not that right. But suppose we do thus extend our laws; you will have a kingdom within a kingdom; you will have the laws and jurisdictions of two nations overlapping each other; you will have the British laws over one man, and the American laws over another, in the same cabin; and how will you prevent the conflict of jurisdiction, resulting inevitably, necessarily, speedily, in the conflict of men, of force, of power. I think the argument of a distinguished Senator from Michigan, [Mr. Cass,] as reported in the public papers to have been made upon his resolution of inquiry into the state of the public defences, upon this point is conclusive and unanswerable. Extend your jurisdiction over American citizens in Oregon, and it necessarily comes in conflict with the British jurisdiction over the same territory. And this conflict of jurisdiction will inevitably bring on a conflict of a different and more serious character.

Your settlers have gone to Oregon under the implied pledge of your protection. Your continued claim of right to the territory has justified them in going there, and in expecting to receive the benefits of your legislation, and to be covered by the shield of your power. Will you continue to deny them a title to their lands? You cannot grant it while the convention remains in force; and hence the necessity of its abrogation.

The question, then, must be settled, matters must be brought to a crisis—not necessarily or

even probably to a warlike crisis, but to a crisis! It must be met. Great Britain is monopolizing the whole trade of that country. Her representative there is the Hudson Bay Company. She is ready to adopt the acts of that corporation, for corporations are the favorite instruments of British aggression, and for the extension of her power. The Hudson Bay Company, then, and the British Government, are, for all the purposes of this debate, one and identical. They have monopolized the trade of the country; they have subsidized the Indians; the half-breeds are under their control; they have military possession, not only between the Columbia river and the parallel of forty-nine degrees, (which is the territory actually in dispute,) but they have brought down their military posts to within thirty miles of the southern boundary of the American claim in Oregon. Look at Fort Hall. It is directly on the route of American emigration to Oregon; commanding that route; and from which (we have it authentically) the British emissaries have, during the last summer, met our emigrants, and have attempted, and in many instances successfully attempted, to divert them into California and that direction, by false accounts of Indian hostilities on the lower Columbia. Fort Hall is within thirty miles of the southern boundary of Oregon. They have thus not only got the whole of the territory actually in dispute, but they have got military possession of the whole of it; and if, in order to assert our rights, we must tear down the cross of St. George from thirty British forts, as the gentleman from South Carolina says we must, we had better begin immediately, or we will have double that number soon; they have got the whole of them; we have none there.

"But," say gentlemen, "all this will result in war." War! By whom? By the United States? We begin no war; we declare no war; we propose no war; we deprecate all war; but we assert our rights—rights which we have demonstrated, so far as diplomacy can do it. Great Britain has taken military possession of the country, alike open to us and to her; and if war come from the assertion of our rights, we will not make it. I deny the position of the gentleman from South Carolina, that the war—if war come—will be a war of aggression on our part. It is not so. It would be a war of aggression on her part; and on her would rest the responsibility; upon her the judgment of God and the anathemas of the world.

What do gentlemen on the other side propose to do? The gentleman from Massachusetts [Mr. Winthrop] has hinted at arbitration. Very well; cannot we arbitrate as well after the notice as before? But I, for one, do not propose to submit the question to arbitration. Is it possible for a crowned head to be impartial between a brother monarch on the one hand and a Republic on the other? Doubtful, sir. But suppose it possible; where will you look for an impartial arbitrator? Louis Philippe, regardless of the sympathies of his people, and intent only on the perpetuation of his dynasty on the throne of France, is sacrificing the dignity of his nation in the cultivation of a "cordial understanding" with her ancient enemy, for the purpose of securing her influence in favor of that dynasty on his own demise. Austria and Prussia, dreading the ambition of France on the west, and the colossal

power of Russia on the north, are pursuing the same policy; and Russia herself, having large territory on the northwest coast of America, cannot be impartial, for the reason that she must greatly prefer the British fur-trader and the *Bois brule* for her neighbor, rather than the active, enterprising, indefatigable, and multiplying Yankee. The secondary Powers of Europe are but puppets in the hands of the five great Powers; and the Republics of Mexico and South America are in convulsions. I know of no arbiter, therefore, to which the adjustment of this question could be safely committed. We once tried this project of arbitration, sir, in the case of the northeastern boundary; and the award of the King of the Netherlands presented a decision so utterly regardless of treaty stipulations, and so absurd in itself, as to be instantly rejected. We, sir, are ourselves the best guardians of our own rights.

What do gentlemen expect? let me again ask. Do you expect your Government will offer anything more favorable than the parallel of 49°. Where is the gentleman in this House that will get up and say that he expects or wishes his Government to offer anything more favorable than that? There is not one, I venture to say; not one. Is Great Britain going to offer anything more favorable than she has already done? Is she going to offer anything we can reasonably and consistently with our honor accept? If so, she can and will do it as well and as readily after the abrogation of the convention as while it remains in force; and, I have already remarked, she cannot justly take offence at the notice; because it is a treaty measure, anticipated and provided for by the convention itself. But, sir, she never will make any such offer, while, by the continuance of this convention, she gets all she asks: *never*. Abrogate the convention; then, if she has made up her mind—and she doubtless has long ago made up her mind specifically what she is going to do on this subject—abrogate the convention, and then if she has made up her mind to offer such terms as we can accept, she will do it, and do it at once. But if not—if she has not made up her mind that she will offer us anything we can accept—give this notice, abrogate this convention; and does it bring war? No; the very worst it can do is to hasten a little—and but very little—the war which must come at all events. I repeat, if Great Britain has made up her mind that she will not offer anything we can accept, we having irrevocably determined (as we have) that we will not offer anything better than 49°, the notice cannot produce war; the worst it can do is to hasten, and hasten a very little, the war that is inevitable. So that, unless gentlemen shall conclude to recede from our position, to offer something more favorable to her than 49°, (when all feel that we have a better title than she has to 54° 40'.) we must meet the question directly; and war, either directly or consequentially, cannot be chargeable upon us—for it must come at all events.

"But," say gentlemen, "postpone it. We are not ready now. Great Britain has fleets and armaments." Well, fleets and armaments she always will have. "We have no fleets and armaments." Well; when have we ever had fleets and armaments before war came? Is there any gentleman upon this floor who dreams that we ever shall be ready for a vigorous prosecution of war before it is upon us? If so, it strikes me that

he has studied with little attention the history of the country on this point. We have heard gentlemen talk of our "manifest destiny;" but it strikes me that our "manifest destiny" is never to prepare for war till war comes. It arises from the character of our institutions—from the character and habits of our people, who are a peace-loving people and devoted to the industrious pursuit of the arts of peace. But a few days ago there was introduced from the Senate into this House a bill to raise a company of one hundred men—of one hundred sappers, miners, and pontoniers—with a view to complete the mere skeleton organization of our army, which proposed to create no additional expense for our army; and yet I venture to say that it will be opposed here, and perhaps successfully. The Committee on Military Affairs, of which I have the honor to be a member, reported a few days since a bill for the raising of two regiments of riflemen, (not mounted;) and on all sides of the House I heard the exclamation, "I go for no such measure." That is the spirit that prevails here. It always will prevail. You never will prepare for war until war is upon you; and you may postpone it until "hope deferred" shall have made sick the hearts of your settlers, and worn out their allegiance, and still war will find us unprepared. Shall we therefore surrender our rights? Shall we therefore expect disaster and defeat? No. We may experience it at first; but the recuperative energies of our people, animated by their undying love of country, their attachment to its institutions, their determination to maintain inviolate every foot of our soil—having within them a burning hatred of the tyrannies of the Old World, from the galling bonds of which their forefathers freed themselves—will be sufficient to meet and to bear us triumphantly out of any emergencies. But that we shall ever be prepared for war in a manner to accord with the notions of adequate preparation entertained by military men, or in such a manner as true prudence would perhaps dictate, until war actually stares us in the face, no man can believe. We shall therefore gain nothing, in this respect, by postponement—nothing at all.

But, said the gentleman from Virginia, [Mr. HUNTER,] before you think of war, you must think of tracking Great Britain with a stream of fire and blood around the world; you must meet her on every sea, and in all her possessions—all her colonies, from Aden to the Ionian Isles, from India to the Lord knows where. We must exhaust and conquer British power everywhere, before we can expect to take or to keep either Oregon or Canada. Well, now, I believe in no such doctrine as that. History teaches no such doctrine; it leads us to no such conclusion. Great Britain deprived France of all her colonial possessions; she left Napoleon without a solitary colony on the face of the globe; she confined him to the continent of Europe; and at that very time he rode triumphant and irresistible over that continent, and trampled in the dust the subsidized allies of the imperial pirate. Why? Because there were all his resources. Great Britain may keep her Chusan, her India, her Mediterranean possessions; she may keep them all. Does it follow that we cannot beat her on this continent? It does not; for here are our resources, and hers are distant.

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"But," say gentlemen, "this battle for Oregon, if it come at all, is to be fought in Canada." I believe it; and I am glad that Great Britain has, in the present conjuncture, an assailable point here, where we can reach her with effect. And the gentleman from Alabama [Mr. YANCEY] takes especial pains to arouse the jealousy of western men by telling us that "we will get Canada, and then Oregon must be given up." Now, does any man suppose that the present Administration, or that any Administration possible, holding Canada as a conquered pledge, would give up Oregon? I do not. I do not believe that there is a man in the United States, capable of being elected President—or of getting there either by "accident," as has been said of one, or "by the grace of God"—who would be either such a fool or such a knave. It is impossible. Take Canada, and Oregon would fall into our hands as a matter of course. But I do not apprehend any difficulty of this kind. I believe that Great Britain withholds an amicable settlement because she is satisfied with her present position. Abrogate the present convention; throw your laws over your citizens in that territory, and manifest a disposition to assert and maintain your rights there, and then she will come up to the work of negotiation and settlement in earnest. She is vulnerable, and she knows it, as well as we. War would bring to her calamities as great as it would to us, and greater. We can live without her: she cannot without us. We can do without her manufactures, and have use for none of her raw material; she depends upon our raw material for her manufactures; it is the very breath of her existence, and without it her people would die from starvation. Where, then, is our fear of war? I have none; and yet I am no advocate for war. God knows, I appreciate its horrors as keenly as any man that lives; for my very earliest recollections are of the scenes war brings—the tears of the young wife, of the mother, of the sister; the partings which break young hearts. These I remember, and I have no wish, as God is my judge, to see them repeated. But yet, looking war calmly in the face, I say, "Be just and fear not." I know the consequences which may result, *perhaps*, (only perhaps, sir)—I know, and I should deprecate the consequences which may perhaps result from the vigorous assertion of American rights. War, if it should be the result, would bring with it the destruction of trade, heavy taxation, heavy losses, the necessity of personal services and sacrifices. You and I, perhaps, might be called to leave the peaceful walks of civil life, and to participate in the hardships and the dangers of the camp and of the tented field. What then? Are we Americans? Are we the descendants of men contemporary with the youth of the venerable gentleman from Massachusetts? or are we the cowardly, craven wretches, that would not dare to do what our feeble colonies (altogether not equal in strength to the single State of New York at this moment) did—assert and maintain our rights? I think not. That is not the spirit of the people I have the honor to represent. I have not them before me, but I have in my room, resolutions deliberately adopted by a recent convention of that part of the people of Ohio with whom I act politically, declaring the expectations they have of the action of their representatives here, for the vigorous maintenance of our rights to Oregon, and pledging "their lives,

their fortunes, and their sacred honor" (such is the language used) to sustain them. Sir, we do not want war, but if we must have it, we would a great deal rather fight Great Britain than some other Powers, for we do not love her. We hear much said about the ties of our common language, of our common origin, and our common recollections, binding us together. But I say we do not love Great Britain at all; at least my people do not, and I do not.

A "common language!" It has been made the vehicle of an incessant torrent of abuse and misrepresentation of our men, our manners, and our institutions; and even our women—it might be vulgar to designate our plebeian girls as *ladies*—have not escaped it; and all this is popular, and is encouraged in high places. We have a "common origin!" though, perhaps, numerically, one-half of the people of this country are not English by descent; but a "common origin" did not prevent that infamous power from employing the savage to tomahawk our old men, to scalp our women, and to brain our infants, and from paying them for these barbarous deeds and infernal trophies. The British Government, (against the British people I have no animosity,) I confess, I do not love; and while, for the sake of the British people, and of my own country, I would avoid war, yet, if war must come, let her be our enemy by all means.

But, Mr. Chairman, I have been led off upon these points, not because I conceive them to be necessarily connected with the discussion, but because gentlemen upon the other side have lugged them in, and attempted to frighten us from giving this notice; and when I reply to them as I have done—and in so doing, I speak, I am persuaded, the sentiments of the people of Ohio—I do it to show that no such considerations can move us, and for no other purpose.

Mr. B. concluded by repeating, as he had stated at the outset of his remarks, that he had risen for the purpose of saying but a few words. He was not in the predicament of the gentleman from Michigan, (Mr. CHIPMAN,) who felt that the hour was an intellectual straight-jacket; and having said all that now occurred to his mind, begging the pardon of the House for having occupied so much of its time, he would yield the floor to some of those around him, who were so anxious to *distinguish* themselves in the *rising en masse* which was sure to follow his conclusion.

APPENDIX.

The following is a copy of the 3d article of the convention with Great Britain, of 20th October, 1818:

"ARTICLE III. It is agreed that any country that may be claimed by either party on the northwest coast of America, westward of the Stony mountains, shall, together with its harbors, bays, and creeks, and the navigation of all rivers within the same, be free and open, for the term of ten years from the date of the signature of the present convention, to the vessels, citizens, and subjects of the two Powers—it being well understood that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country; nor shall it be taken to affect the claims of any other Power or State to any part of the said country; the only object of the high contracting parties, in that respect, being to prevent disputes and differences amongst themselves."

And the following is a copy of the 1st, 2d, and 3d articles of the convention of the 6th of August, 1827, which comprise all the existing treaty stipulations at present existing between Great Britain and the United States on the subject of the Oregon:

"ARTICLE I. All the provisions of the 3d article of the convention concluded between the United States of America and his Majesty the King of the United Kingdom of Great Britain and Ireland, on the 20th of October, 1818, shall be, and they are hereby, further indefinitely extended and continued in force, in the same manner as if all the provisions of the said article were herein specifically recited.

"ARTICLE II. It shall be competent, however, to either of the contracting parties, in case either should think fit, at any time after the 20th of October, 1828, on giving due notice of twelve months to the other contracting party, to *annul and abrogate this convention*; and it shall, in such case, be accordingly entirely annulled and abrogated after the expiration of said term of notice.

"ARTICLE III. Nothing contained in this convention, or in the third article of the convention of the 20th October, 1818, hereby continued in force, shall be construed to impair, or in any manner affect, the claims which either of the contracting parties may have to any part of the country westward of the Stony or Rocky mountains."

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